

The Massachusetts Legal Services Diversity Action Plan is spearheaded and coordinated by the Diversity Coalition Steering Committee and is a collaborative effort of the Steering Committee, Project Directors, Affirmative Action Officers, and Attorneys of Color.

Why a Diversity Action Plan?

Demographic changes in the state's population demand that Massachusetts Legal Services programs respond strategically to changing needs. Over the last decade, populations of color in Massachusetts have increased dramatically. People of color are estimated to comprise 43% of all poor people in Massachusetts. Access to justice is legal services' core value, and diversifying legal services will promote access to justice by strengthening its capacity to provide services and to implement priorities and policies that are fully responsive to the needs of this diverse population. Diverse staff build roads to increasingly diverse communities by providing credible, culturally competent representation.

Diversity has also become an important internal priority for Massachusetts Legal Services. A representative work force, at all institutional levels, will ensure that the diverse voices of those communities served by legal services will be heard-- and will enable their perspectives to meaningfully influence and improve the quality of legal services policies and practices. Expanding opportunities for diverse leadership is an inevitable and necessary part of the process of growth and maturation of legal services as an institution, empowering legal services to successfully adapt to a changing environment.

The following document begins to detail how this will be accomplished in the next three years.

Introduction

This Action Plan will guide diversity work in the Massachusetts Legal Services system for the next three years: 2003 - 2006. It serves as a framework to advance diversity work. We understand and appreciate that each program may be at a different stage in its diversity efforts. We also note that programs have differing capacities to expand on the diversity actions identified in this plan. Nevertheless, it is expected that each program will identify at least two goal areas to focus on and implement in the next three years. The Diversity Coalition will be available to support programs as they move forward on implementation of this plan. There are also areas of the plan which require a statewide strategy for effective implementation

Background

In 2000, the Diversity Coalition completed a diversity survey of all legal services staff. Following the survey, we convened focus groups for staff of color in order to gather information missing or incomplete from the survey. Both the survey and focus groups clearly identified the need for the Diversity Coalition to plan concrete steps to address the concerns identified in both processes. We began to do so in the fall of 2001 by facilitating meetings to set priority goal areas with various stakeholder groups. These groups include: Project Directors, Affirmative Action Officers, a group of Attorneys of Color, and the Diversity Coalition Steering Committee. The priority areas identified were:

- ◆ Build an Organizational Culture, Values, and Structure that Support Diversity
- ◆ Create Leadership/Career Development Opportunities for Underrepresented Groups
- ◆ Recruit, Hire, and Retain a More Diverse Staff
- ◆ Build Partnerships with Diverse Communities

Each of the stakeholder groups developed action steps to address the issues in their priority areas. In addition, the Steering Committee decided to seek input from other groups within legal services, including paralegals and support staff, clients, and unions. With the help of an outside consultant, in the spring of 2002 the Diversity Coalition Steering Committee prepared a draft comprehensive action plan encompassing all four priority areas and the corresponding action steps and identified who will work on each of the steps. A number of action steps will overlap as different groups will be addressing them simultaneously.

Definition of Diversity

The Action Plan refers to the term “diversity” multiple times. The Diversity Coalition’s Model Affirmative Action Plan defines diversity as encompassing the following categories: “ability and disability, age, color, ethnicity, religion, gender, job category, class status, national origin, race, and sexual orientation.” That is the definition of diversity used for this plan.

Statewide Support for the Action Plan

The Coalition will work to identify resources to fund the implementation of the Action Plan. In addition, the major funder of legal services in Massachusetts, the Massachusetts Legal Assistance Corporation (MLAC), in collaboration with the Diversity Coalition Steering Committee, will be monitoring progress on the action plan.

Programs are expected to take the lead in initiating action steps within their own program but can expect continuing support from the Diversity Coalition in the forms described below.

- Cultural Competence Workshops
 - Internal Diversity Workshops, i.e. Building Organizational Capacity to Serve Diverse Clients
- In addition, the Coalition provides assistance in the following areas:
- Identifying diversity resources through the website www.diversitycoalition.org and Bridges, the Diversity Coalition quarterly newsletter
 - Hiring process assistance
 - Statewide diversity trainings
 - Policy development (e.g. Model Affirmative Action Plan, and Diversity Action Plan)
 - Ombuds process for conflict resolution in the area of diversity

See addendum for workshop descriptions.

Organization of the Plan

I. Summary

II. Rationales

III. Detailed Plan

I. SUMMARY

GOAL 1) Build an Organizational Culture, Values, and Structure that Support Diversity:

Legal Services programs will take immediate action to create and support a workplace environment that demonstrates a commitment to diversity in both policy and practice, reflecting cultural competence and openness in dealing with diversity issues (with a particular focus on addressing issues of race and class/job status).

OBJECTIVES:

- a) Foster an organizational climate and management and professional practices that strengthen inclusion and affirmation of a diverse staff and enhance service delivery.
- b) Ensure that the board and staff of each program participate in diversity related trainings and activities each year to increase cultural competence.
- c) Ensure that all programs build human resources development and management functions that encourage growth and reward outstanding performance.
- d) Develop and maintain the infrastructure for doing diversity work in legal services, including ensuring the implementation of the Diversity Action Plan.

GOAL 2) Create Leadership/Career Development Opportunities for Underrepresented

Groups: By 2006 Legal Services in Massachusetts will provide professional and/or career development opportunities for members of underrepresented groups, including people of color and disabled people, that increase skills and participation in leadership activities

OBJECTIVES:

- a) Reduce turnover and increase retention of existing leaders of color.
- b) Increase the number of people of color and other underrepresented groups (such as specific job categories or specific groups mentioned in the model AA Plan) in management and other leadership roles within Legal Services and its activities.

GOAL 3) Recruit, Hire, and Retain a More Diverse Staff: On an immediate and ongoing basis Legal Services programs will recruit, hire, and retain a more diverse staff, particularly in management and attorney positions where staff is currently less diverse than in other job categories.

OBJECTIVES:

- a) Recruitment - Programs will have a diverse applicant pool for every hiring process, with two times as many diverse applicants in 2006 as in 2003 unless a program can provide compelling reasons why it is unable to achieve this objective
- b) Hiring -
 - i) Legal Services programs will hire diverse staff to:
 - a) achieve the goal of having a representative and collaborative atmosphere;
 - b) better reflect the demographics of the clients served; and
 - c) increase the ability of a demographically diverse population to lead and influence legal services as an institution
 - ii) Programs will have effective hiring processes to meet their hiring goals
- c) Retention - Legal Services programs will create an inclusive and collaborative atmosphere to foster the retention of a diverse staff that better reflects the clients served, and to maintain the ability of a demographically diverse population to lead and influence legal services as an institution

GOAL 4) Build Partnerships with Diverse Communities: By the end of 2006, each legal services program will have built working partnerships with the community that identify and address community needs

OBJECTIVE:

Identify and build bridges in at least two previously underserved diverse communities.

II. RATIONALES FOR GOALS

Goal 1) Build an Organizational Culture, Values, and Structure that Support Diversity

Rationale:

In order to create positive change through diversity efforts, legal services programs in Massachusetts need to modify their operational values, not just their espoused values. It is only when these espoused and operational values coincide that true progress occurs.

Programs need to develop and support an organizational culture that is both open to allow positive change and pro-active to spearhead needed changes, to improve leadership, recruitment, retention, hiring, and quality of work done within the community. Legal services organizations must have policies in place that show commitment to diversity as well as demonstrating commitment to maintaining an organizational structure and climate that support diverse staff to competently serve diverse clients.

Specific organizational development issues must be addressed in order to build a functional, healthy organization that supports and sustains diversity initiatives. A variety of tools are available to assist programs including training, workshops, policies, and evaluation processes. Legal services programs are also encouraged to support committees and coalitions already working on these issues.

Goal 2) Create Leadership/Career Development Opportunities for Underrepresented Groups

Rationale:

Legal services in Massachusetts represents low-income, underrepresented groups that include significant numbers of women and people of color. Women make up almost 60% of the poverty population while almost 43% of the poverty population are people of color. The management group of legal services programs in the state is overwhelmingly white and male. Approximately 30% of legal services workers in Massachusetts are people of color. The great majority, over 65%, are in support staff or paralegal positions. Diversity of management and staff is essential in order to create a more dynamic legal services system statewide and enable legal services programs to better serve their local communities. Increasing leadership opportunities for people of color and other under-represented groups will also positively influence policy, recruitment, and retention within the programs.

Goal 3) Recruit, Hire, and Retain a More Diverse Staff

Rationale:

While we work to increase ethnic and racial diversity, particularly within the ranks of managers and attorneys, we must take specific, measurable steps that increase the recruitment, hiring, and retention of staff of color. The plan focuses more attention on recruiting, hiring, and retaining attorneys of color rather than support staff of color because of the very low percentage of attorneys of color (13%) in legal services. Attorney staff positions and formal management positions are the least diverse job categories within most legal services programs.

We must work to hire, retain and support a staff that better reflects the demographics of the client population, in order to serve the client population with greater cultural competence. A diverse staff, especially one with linguistic connections to certain communities, often serves as a bridge to groups that might otherwise be unreachable to legal services. With tremendous growth in communities of color, it is crucial that legal services hire and retain staff of color so as to create a welcoming & inclusive atmosphere for our clients. Additionally, we must allow legal services policies and practices to be shaped and influenced by diverse perspectives.

The retention and hiring rate from 2001 - July 2002 demonstrates that over the past two years, about a third of those who left legal services were staff of color (approximately the same as the rate of hire). This number is alarming when you factor in the additional time and resources needed to effectively recruit and hire a diverse staff. Hiring and retaining staff of color not only furthers legal services' philosophy of providing culturally competent services to our clients but creates a supportive, nurturing environment for staff of color to thrive and make careers of legal services. Employing diverse staff brings invaluable knowledge about members of a particular group, as well as insight into the experiences of many other diverse groups. In so stating, we in no way mean to imply that the responsibility of building a culturally competent organization falls exclusively on staff of color. Rather, that responsibility lies with each staff member, with ultimate responsibility in management.

Goal 4) Build Partnerships with Diverse Communities:

Rationale:

By establishing effective working partnerships in the communities they serve, legal service programs can better understand the legal needs in their communities and can work collaboratively to meet those needs. Community partners can help programs understand how to provide legal services to people of different cultures, and can help people in their community understand how legal services programs can serve them. Each community partner will then be able to assess and evaluate its community's need for legal assistance in a competent and efficient manner.

Fostering cultural competence relative to particular under-served communities is critical to building trust and viable connections. Making valid efforts to address cultural and language barriers for individual clients creates an environment where the intake and referral process becomes less daunting to both clients and staff. By becoming more visible to particular communities and service providers, legal services staff can maximize interactions and build trust. Working with communities on issues they have identified as critical allows legal service organizations to foster long-term partnerships and connections with the community.

Developing trust is essential to bridging the gap between legal services and particular communities. To do this, programs need to identify key people in under-served communities to assist in developing a viable approach towards building trust and connection. Legal services programs need to form partnerships with influential community groups, as well as individual members of communities. Hiring staff from targeted communities and/or utilizing existing outside bi-cultural/bilingual resources is critical.

Addendum - Report on focus groups of staff of color, Diversity survey - Executive Summary

III. DETAILED ACTION PLAN

Key:

AA = Affirmative Action Officers

PD = Project Directors

EP = Each Program

AC = Attorneys of Color

SC = Diversity Coalition Steering Committee

DC = Diversity Coalition staff

MLAC = Massachusetts Legal Assistance Corporation

RTC = Regional Training Consortium

GOAL 1) Build an Organizational Culture, Values, and Structure that Support Diversity:

Legal Services programs will take immediate action to create and support a workplace environment that demonstrates a commitment to diversity in both policy and practice, reflecting cultural competence and openness in dealing with diversity issues (with a particular focus on addressing issues of race and class/job status).

OBJECTIVES:

- a) Foster an organizational climate and management and professional practices that strengthen inclusion and affirmation of a diverse staff and enhance service delivery.
- b) Ensure that the board and staff of each program participate in diversity related trainings and activities each year to increase cultural competence.
- c) Ensure that all programs build human resources development and management functions that encourage growth and reward outstanding performance.
- d) Develop and maintain the infrastructure for doing diversity work in legal services, including ensuring the implementation of the Diversity Action Plan.

GOAL 1: Organizational Culture, Values, and Structure			
OBJECTIVE a) To foster an organizational climate and management and professional practices that strengthen inclusion and affirmation of a diverse staff and enhance service delivery			
Action Steps	Who	Time	Resources
Each program will develop a statement of organizational core values or mission statement that addresses diversity (Could be included in AA Plan)	PD/ EP	Year 1	Staff time/mtg
Each program will develop and adopt policies and objectives regarding diversity /Affirmative Action Plans/ EEO Plans		Year 1	Staff time/mtg
Programs will recruit board members who better reflect the diversity of the communities served		Year 1	community reps to help recruit

GOAL 1: Organizational Culture, Values, and Structure			
OBJECTIVE b) To ensure that the board and staff of each program participate in diversity related trainings and activities each year to increase cultural competence.			
Action Steps	Who	Time	Resource
Participate in programs that bring together a panel of staff that can speak on differences in values (i.e. racial, ideological, gender, class/job status, etc) of various staff members	PD	Year 2	outside consultants DC
Provide training for managing diversity that focuses on management practices and fostering a workplace climate that solicits and includes a wide range of perspectives to be applied in meetings, hiring, task assignments, etc.	PD	Year 1	outside consultants/ DC
Continue the DC's current cultural competence/diversity workshops	DC	Year 1 ongng	already MLAC/DC
Each program will annually conduct internal discussions on diversity issues including, but not limited to, race, class/job status and gender.	EP	Year 2	PD cnsltnts/ in- house
AA Officer serves as a point person to organize cultural competence diversity workshops with DC and ensure follow-up is done	AA	Year 1 ongng	time
Board issues: PD and/or AAO ask Board to identify their training and internal development needs	PD/ AA	Year 1	time MLRI
Identify centralized group to develop Board training materials	MLRI	Year 2	DC input
Provide diversity training for boards	DC/ MLRI cnslts	Year 2	MLRI

GOAL 1: Organizational Culture, Values, and Structure			
OBJECTIVE c) To ensure that all programs build human resources development and management functions that encourage growth and reward outstanding performance.			
Action Steps	Who	Time	Resource
Recognize/celebrate individual performance and contributions	PD	Year 1	Time, \$
Institute a regular annual staff evaluation process, with goals agreed upon and progress recognized	PD/EP same as above	Year 2	Consultant
<ul style="list-style-type: none"> Career development discussions with staff facilitated by PDs to help create career opportunities for staff and infuse diversity into the system/ensure that all staff have professional development plans 		Year 2	Time Training
<ul style="list-style-type: none"> Identify and recommend leadership opportunities for staff, including non-case related opportunities 		Year 2	Time
Conduct entrance interviews with new staff, identifying specific career goals and possible advancement opportunities Conduct exit interviews with departing staff to identify reasons people are leaving (Board?)	PD/AA	Year 2	Staff time
Identify more effective alternatives to traditional exit interviews	SC	Year 2	Time

GOAL 1: Organizational Culture, Values and Structure			
OBJECTIVE d) To develop and maintain the infrastructure for doing diversity work in legal services and ensuring implementation of the Diversity Action Plan.			
Action Steps	Who	Time	Resource
AA network meets twice yearly	AA	Ongng	time
Liaison to MLAC board meets with Steering Committee and helps to develop regular Board reports	DC	Ongng	time
Diversity Coalition Steering Committee meets monthly and monitors implementation	SC	Ongng	time
MLAC collects, reviews, and reports on progress towards stated performance goals	MLA C	Year 2	staff time
Develop a recognition system for programs that achieve outstanding improvement in diversity under the Action Plan	MLA C /DC	Year 2	

GOAL 2) Create Leadership/Career Development Opportunities for Underrepresented

Groups: By 2005 Legal Services in Massachusetts will provide professional and/or career development opportunities for members of underrepresented groups, including people of color and disabled people, that increase skills and participation in leadership activities

OBJECTIVES:

- a) Reduce turnover and increase retention of existing leaders of color
- b) Increase the number of people of color and other underrepresented groups (such as specific job categories or specific groups mentioned in model AA Plan) in management and other leadership roles within Legal Services and its activities

GOAL 2: Leadership Opportunities/Career Development			
OBJECTIVE a) Reduce turnover and increase retention of existing leaders of color			
Action Steps	Who	Time	Resource
Encourage participation in regional leadership development program of the New England Regional Training Consortium and garner ideas from NLADA Leadership Institute	EP/AA MLRI	Year 1	Staff time \$
Managers and interested staff in programs will be tutored on how to identify and provide a wide range of opportunities for people inside and outside management	EP/ PD/AA cnslnnts	Year 2	Staff time \$
Provide action-oriented management training for supervisors and PDs, focused on the human dimension of their jobs with an emphasis on cross-cultural supervision, as part of the overall leadership development effort	PD cnslnnts RTC DC	Year 2	Staff time \$

GOAL 2: Leadership Opportunities/Career Development			
OBJECTIVE b) To increase the number of people of color and other underrepresented groups (such as specific job categories or specific groups mentioned in model AA Plan) in management and other leadership roles within Legal Services and its activities			
Action Steps	Who	Time	Resource
For all staff: <ul style="list-style-type: none"> Increased opportunities for public recognition of staff 	PD/AA	Year 1	\$, variable
<ul style="list-style-type: none"> Boards should prioritize diversity when hiring EDs 	PD/DC /bds	Year 1	time, \$, consultants
<ul style="list-style-type: none"> Identify employees of color and employees from other groups traditionally underrepresented in management with leadership potential and a) provide training of staff in leadership/managerial skills b) Create work plans that contain leadership development steps c) Identify and recommend non-case related leadership opportunities 	EP/ AA/ MLRI/ Supervisor	Year 1	Time, \$, MLRI
<ul style="list-style-type: none"> Create statewide/regional leadership development project which provides: training, mentors, and support (network both within and without the project) 	RTC(tr nng)/ AC/ MLAC	Year 2	Time, \$
For attorneys: <ul style="list-style-type: none"> Identify attorneys of color and other underrepresented groups, develop a pool of candidates that could be trained for any managerial openings that occur, where available 	PD/EP	Year 2	time
<ul style="list-style-type: none"> Add professional development component - new Lawyer Training 	RTC	Year 2	
<ul style="list-style-type: none"> Consider expanding, both in terms of funding and eligibility criteria, the Bart Gordon Fellowship Program to include more experienced fellows, disabled fellows, etc 	PD/ MLAC /AC	Year 3	Money
<ul style="list-style-type: none"> Develop a career exposure program for junior attorneys to learn what is involved in leadership/management work 	PD/EP	Year 2	Consultant, private law firm
For Paralegals/Support Staff: <ul style="list-style-type: none"> Training and advancement opportunities for paralegals/support staff; leadership and professional development opportunities for paralegals/support staff, could include: creating senior paralegal positions 	EP/ MLRI	Year 2	Time, \$
<ul style="list-style-type: none"> Support for extracurricular advancement relevant to the job, such as tuition reimbursement 	EP	Year 3	Time, \$
<ul style="list-style-type: none"> Programs will consider expanding their loan forgiveness program to include paralegals 	EP	Year 3	MLAC, \$

GOAL 3) Recruit, Hire, and Retain a More Diverse Staff: By the end of 2005, Legal Services programs will have recruited, hired, and retained a more diverse staff, particularly in management and attorney positions where staff is currently less diverse than in other job categories.

a) Recruitment - Programs will have a diverse applicant pool for every hiring process, with two times as many diverse applicants in 2005 as in 2003 unless a program can provide compelling reasons why it is unable to achieve this objective

b) Hiring -

i) Legal Services programs will hire diverse staff to:

a) achieve the goal of having a representative and collaborative atmosphere; b) better reflect the demographics of the clients served; and

c) To increase the ability of a demographically diverse population to lead and influence legal services as an institution

ii) Programs will have effective hiring processes to meet their hiring goals

c) Retention - Legal Services programs will make their best efforts to create an inclusive and collaborative atmosphere, which will foster the retention of a diverse staff that better reflects the clients served, to maintain the ability of a demographically diverse population to lead and influence legal services as an institution

GOAL 3: Recruitment, Hiring, Retention			
OBJECTIVE a) Recruitment - Programs will have a diverse applicant pool for every hiring process, with up to two times as many diverse applicants in 2005 as in 2003 unless a program can provide compelling reasons why it is unable to achieve this objective.			
Action Steps	Who	Time	Resource
Create a central recruitment function: Hire/retain people of color recruitment specialist to work with entire system, filling the pipeline with job candidates - he/she may assist programs in their efforts to have a diverse applicant pool in every hiring process by doing the following: <ul style="list-style-type: none"> • Tapping in to existing resume banks through minority bars to create a statewide resume bank • Develop a list of colleges, community organizations, professional organizations, minority bar associations, etc, for hiring different positions (with Diversity Coalition) • Identify other recruitment options when hiring pool is not diverse 	PD/ SC/ AA/ DC	Year 1	
Design and implement recruitment/retention training for managers and AA Officers	DC	Year 1	Consultant Technical assistance
Produce and effectively disseminate Massachusetts Legal Services programs attorney recruitment brochure	AC/ MLA C/DC	Year 1	Staff time, \$, Website

GOAL 3: Recruitment, Hiring, Retention			
OBJECTIVE b i) Hiring - Legal Services programs will hire diverse staff to a) achieve the goal of having a representative and collaborative atmosphere, b) better reflect the demographics of the clients served, and c) To increase the ability of a demographically diverse population to lead and influence legal services as an institution ii) Programs will have effective hiring processes to meet their hiring goals			
Action Steps	Who	Time	Resource
Enforce existing requirement to submit yearly an updated Affirmative Action Plan	MLAC	Year 1	
Develop best practices for hiring process, identify AA role, composition of committee, criteria (job description, hiring decision)	AA	Year 1	Staff time, training, tech assistance

GOAL 3: Recruitment, Hiring, Retention			
OBJECTIVE c) Retention - Legal services programs will make their best efforts to create an inclusive and collaborative atmosphere, which will foster the retention of a diverse staff that is reflective of the clients served, to maintain the ability of a demographically diverse population to lead and influence legal services as an institution			
Action Steps	Who	Time	Resource
Develop supervision plans sensitive to diversity Develop standards for supervisors of attorneys/staff of color that incorporate diversity skills	PD	Year 1	TA, Training, \$
Expansion of loan forgiveness program to all programs through MLAC	PD	Year 2	Money
Identify and create a pool of people willing to be mentors/support in their programs or in others (regional)	New hire/ AA	Year 2	Money
Support and develop affinity groups (e.g. paralegal and support staff or staff of color groups)	SC/ DC	Year 1	Time
Strengthen the role of Affirmative Action Officers and committees, including through greater statewide planning and coordination and through combined labor and management representation on Affirmative Action committees in unionized programs.	AA/ PD/ AC	Year 2	Time
Increase and subsidize more minority bar association memberships	PD	Year 1	Money

GOAL 4) Build Partnerships with Diverse Communities: By the end of 2005, each legal services program will have built working partnerships with the community that identify and address community needs.

OBJECTIVE:

To identify and build bridges in at least two previously underserved diverse communities.

GOAL 4: Build Partnerships with Diverse Communities			
OBJECTIVE: To identify and build bridges in at least two previously underserved diverse communities.			
Action Steps	Who	Time	Resource
Establish relationships with and make inroads to underserved communities by: 1) Identifying underserved diverse communities and their community-based organizations 2) Prioritizing at least 2 of these communities to target for outreach 3) Identifying key people in underserved diverse communities to strategize and assist in developing approach and building trust/connection 4) Developing community outreach efforts (i.e. setting up formal referral network) 5) Hiring staff from community and/or utilizing existing outside bicultural/bilingual resources	EP/ PD	Year 1	Staff time Technical assistance (DC Staff, staff in other progs) \$
Legal services staff will serve on more community boards and/or be assigned as liaisons to community groups in their respective areas	EP/ PD	Year 1	Staff time, \$
Deliver set number of community legal education programs per year targeted to specific issues that are relevant to the locale or to the communities served	EP/ PD	Year 1	Staff time, Training/tech assistance
Collect and make available existing CLE resources	MLRI websit	Ongng	MLRI, website
Programs find ways to free up staff time to devote to this work Develop training component for staff who are doing this work	PD MLRI DC	Year 1	Staff time, ed. for staff
Build (on an ongoing basis) a directory of resource people within legal services and beyond who have connections to certain communities	DC	Year 2	
Translate CLE materials on masslegalservices.org website into Spanish and begin translation into other languages	Wbste cmtee	Year 1 and 2	Time, \$
Identify funding to increase resources for translation/ interpretation (at the program and statewide level) including exploring compensating staff who are doing translation	DC/ EP	Year 2	\$